IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 6836 OF 2005

M/s. Nirmal Milk Products ..Petitioner.

Versus

M/s. Karnik & Associates ..Respondent.

Mr. S.S.Pandit for the Petitioner.
Mr. S.A. Sawant for the Respondent.

CORAM : S. A. BOBDE, J.
DATED : 26TH OCTOBER, 2005.

P.C.:

1. Rule returnable forthwith. Mr. Sawant for the Respondent appears and waives service of rule. Heard by consent.

2. Following order is passed by consent.

3. The appellate court shall decide the application for condonation of delay before proceeding further in the matter. Till then the impugned order shall remain stayed. The appellate court is at liberty to decide all questions including those of interim reliefs on merit thereafter.

4. On the respondent's furnishing an undertaking that he will not withdraw F.D.R. from the Court and, if necessary, on his furnishing further security to the satisfaction of the Additional District Judge, Pune, there shall be a stay on execution until further orders by the learned Additional District Judge.

5. Rule is disposed of in the above terms.

DT. 26.10.05 (S.A.BOBDE,J)

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